



To the Honorable Council
City of Norfolk, Virginia

September 15, 2015

From: David Ricks, Director of Public Works

Subject: Encroach into the right-of-way with two two-way finding signs located in the median of the 7300 Block of Hampton Boulevard.

Reviewed:

Ronald H. Williams, Jr., Deputy City Manager

Ward/Superward: 1/6

Approved:

Marcus D. Jones, City Manager

Item Number:

R-13

I. **Recommendation:** Adopt Ordinance

II. **Applicant:** Yohma Cari
The Hermitage Foundation
7631 North Shore Road
Norfolk, Virginia 23505

III. **Description:**
This agenda item is an ordinance permitting The Hermitage Foundation (the "Foundation") to encroach into the right-of-way with two two-way finding signs located in the median of the 7300 Block of Hampton Boulevard.

IV. **Analysis**
This encroachment will allow the Foundation to place directional signs in the median to identify the location of The Hermitage Museum and Gardens.

V. **Financial Impact**
Liability insurance has been provided naming the City of Norfolk ("City") as an additional insured in the amount of \$1,000,000; therefore, there is no financial risk to the City. The City did not charge a fee for this encroachment.

VI. **Environmental**
There is no negative environmental impact associated with this action.

VII. Community Outreach/Notification

Public notification for this agenda item was conducted through the City's agenda notification process.

VIII. Board/Commission Action

The Department of Public Works and the City Attorney's Office have reviewed this request for encroachment and offer no objections. Review and approval by the Norfolk Design Review Committee and the City Planning Commission is not required.

IX. Coordination/Outreach


This letter and ordinance have been coordinated with the Department of Public Works and the City Attorney's Office.

Supporting Material from the Department of Public Works:

- Ordinance
- Exhibit A (2 Sheets)

7/20/2015

Form and Correctness Approved

By 
Office of the City Attorney

 Contents Approved:

By 
DEPT.

NORFOLK, VIRGINIA

ORDINANCE No.

AN ORDINANCE PERMITTING THE HERMITAGE FOUNDATION TO ENCROACH INTO THE RIGHT OF WAY OF HAMPTON BOULEVARD WITH TWO TWO-WAY FINDING SIGNS.

- - -

BE IT ORDAINED by the Council of the City of Norfolk:

Section 1:- That permission is hereby granted to The Hermitage Foundation, and its successors and assigns, the owner of certain property located at 7631 North Shore Road, to encroach into the right of way, with two two-way finding signs located in the median of the 7300 block of Hampton Boulevard, said signs as shown on the sketches hereto attached as Exhibit A, subject to and contingent upon the following conditions:

- (1) That this permission is expressly subject to the right of revocation by the Council and that in the event of such revocation, The Hermitage Foundation, or its successors and assigns, shall immediately remove the encroaching structures.
- (2) That upon the removal of the encroaching structures or any part thereof the authority hereby granted shall cease and terminate.
- (3) That The Hermitage Foundation, or its successors and assigns, at its own cost and expense, shall take out and keep in full force and effect public liability insurance in some company authorized to do business in the Commonwealth of Virginia, insuring it and naming the City of Norfolk as an additional insured party in the amount of at least \$1,000,000.00 against liability from any and all claims, actions and suits that may be asserted or brought against the City of Norfolk and/or The Hermitage Foundation, and its successors and assigns, for any injury to or death of any person or persons or for any damage to or destruction of property resulting from the

installation, maintenance, or existence of said encroaching structures; that evidence of such insurance shall be filed with the Risk Manager of the City of Norfolk.

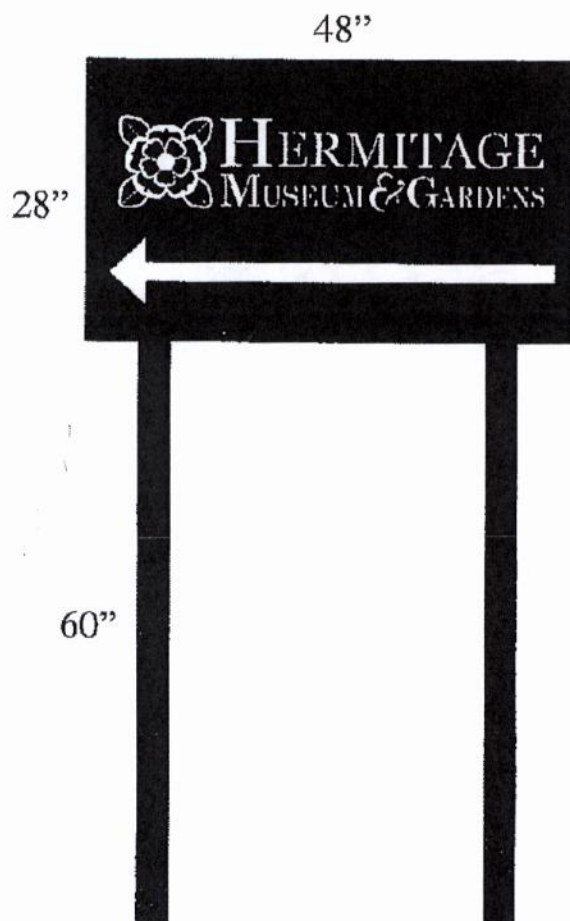
Section 2:- That the failure of The Hermitage Foundation, or its successors and assigns, to fully comply with all contingencies set forth herein shall operate as an automatic revocation of the permission granted hereby.

Section 3:- That the use of the said encroaching elements shall be deemed an acceptance by The Hermitage Foundation, and its successors and assigns, of all conditions to which the permission herein granted is subject.

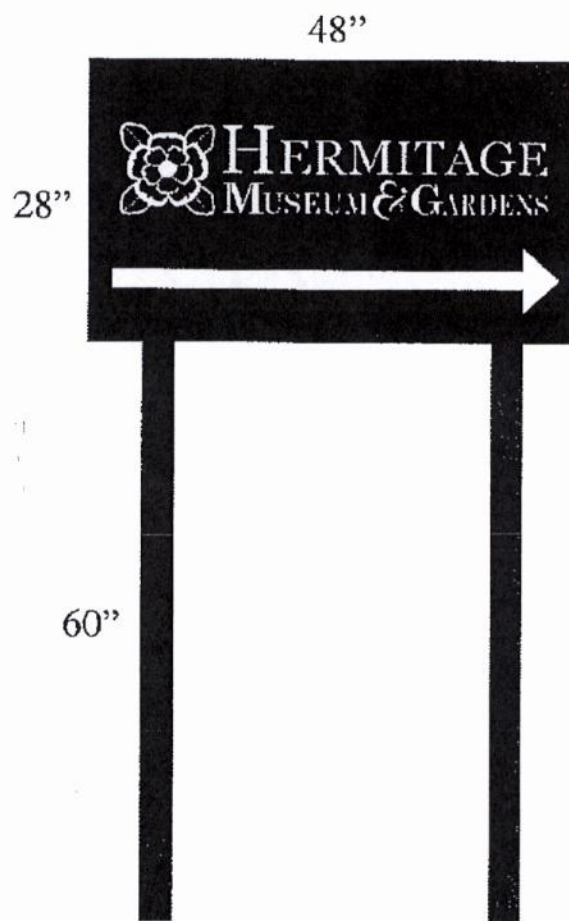
Section 4:- That this ordinance shall be in effect from and after its adoption.

II. Proposed Signage Designs

#1



#2



I. Proposed Signage Locations



EXACT LOCATION OF SIGNS WITHIN THE MEDIANS TO BE APPROVED BY THE DEPARTMENT OF PUBLIC WORKS DIVISION OF TRANSPORTATION PRIOR TO INSTALLATION.